

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

BLUE SKY NETWORKS, LLC,

Plaintiff

v.

LENOVO (UNITED STATES) INC.;
LENOVO HOLDING COMPANY,
INC.; and MOTOROLA MOBILITY
LLC,

Defendants

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CIV. A. NO. 1:17-CV-00452-LY

JURY TRIAL REQUESTED

SCHEDULING ORDER

The Court conducted an Initial Pretrial Conference on August 4, 2017, in the above-styled case at which both parties appeared through counsel. This Order memorializes the procedure and schedule that was discussed at the August 4, 2017 Initial Pretrial Conference and as subsequently agreed upon by the parties. On July 26, 2017 the Court stayed the case pending the scheduling conference. On August 4, 2017, the Court lifted the stay to the extent necessary for the parties to submit a proposed schedule.


IT IS ORDERED THAT the stay in the above styled case is further lifted for the purpose of complying with the deadlines set forth herein.

IT IS FURTHER ORDERED THAT the following schedule shall govern this case, pending further orders of this Court:

1. On or before August 25, 2017, Plaintiff shall serve its initial infringement contentions. These Initial Infringement Contentions may be amended by Plaintiff without

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WESTERN DISTRICT OF TEXAS
BY:  J. J. J. J.

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leave of court at any time up to a deadline to be determined by the Court subsequent to the issuance of a claim construction order.

2. On or before October 3, 2017, Defendants shall serve their respective initial invalidity contentions. These Initial Invalidity Contentions may be amended by Defendants without leave of court at any time up to a deadline to be determined by the Court subsequent to the issuance of a claim construction order.

3. On or before October 13, 2017, the parties shall identify and exchange claim terms for which they will seek construction by the court. The parties further agree that they will exchange proposed constructions for any claim terms identified on October 13, 2017, within 7 days thereafter (i.e., on or before October 20, 2017).

4. On or before October 27, 2017, the parties shall submit a joint claim construction statement. The statement shall include a claim-construction chart identifying for each term requiring construction: (a) the patent(s) and asserted claim(s) in which the term appears; (b) the language of the term; (c) each party's proposed construction for the term; and (d) the intrinsic and extrinsic evidence that each party contends supports its proposed construction. The statement shall also identify any terms for which the parties have agreed to a proposed construction.

5. The parties shall complete claim construction discovery on October 27, 2017. However, this deadline shall not apply to any depositions of any declarant who provides a declaration in support of a claim construction brief subject to the deadlines below.

6. On or before November 8, 2017, the parties shall file their opening claim construction briefs.

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7. On or before November 22, 2017, the parties shall file their responsive construction briefs.


8. The technology tutorial is set for December 13, 2017, at 9:30 a.m.

9. The *Markman* Hearing is set for December 14, 2017 at 9:00 a.m.

This Order is rendered pursuant to the Local Rules of the United States District Court for the Western District of Texas, see W.D. Tex. Civ. R. CV-1(e), and the Court's general power to establish and enforce a schedule in cases before it, see Fed. R. Civ. P. 26-37. If a provision of this Order is in conflict with a provision of any rule, this Order shall take precedence.

IT IS SO ORDERED.

SIGNED this 25th day of August, 2017.


LEE YEAKEL
UNITED STATES DISTRICT JUDGE

AGREED:

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